

California Department of Insurance

Fraud Division

September 2011 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

September 2011 Workers' Compensation Fraud Convictions

Case Number: BA380318

County: Los Angeles

Defendant: Richard Douglas Antonette

City/County of Residence: Not Available at this time

Conviction Date: 09/26/11

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: TBD

Sentence: 1 Day County Jail, 200 Hours Community Service, 3 Years Formal Probation, \$200 Civil Fine

CDI Case Number: 09BW021302

County: Alameda

Defendant: Luis Enrique Aponte

City/County of Residence: Hayward/Alameda

Conviction Date: 09/15/11

Offense: 1 Count of IC 1871.4(a)(2) (False or Misleading in Support of Claim)

Amount Allegedly Defrauded: \$25,464

Sentence: 2 Days County Jail, 5 Years Formal Probation, \$10,004.12 Restitution, \$200 Civil Fine

CDI Case Name: Millenium Roofing Enterprise

CDI Case Number: 09CW001830

County: Los Angeles

Defendant: Roberto Carbajal

City/County of Residence: Monterey Park/Los Angeles

Conviction Date: 09/28/11

Offense: 1 Count of PC 550(b)(3) (Failure to Disclose), (Misdemeanor)

Amount Allegedly Defrauded: \$4,080

Sentence: 250 Hours Community Service (Completed), 3 Years Summary Probation, \$100 Criminal Fine

CDI Case Number: 09CW006549

County: Los Angeles

Defendant: Jacqueline Pactricia Clifton

City/County of Residence: Los Angeles/Los Angeles

Conviction Date: 09/07/11

Offense: 1 Count of PC 550(b)(3) (Failure to Disclose)

Amount Allegedly Defrauded: \$53,927

Sentence: 100 Hours Community Service, 3 Years Formal Probation \$18,239 Restitution, \$200 Criminal Fine

Case Number: 62-108395
County: Amador (Prosecuted by Placer County)
Defendant: Joshua David Roelle
City/County of Residence: Tahoe Vista/Placer
Conviction Date: 09/29/11
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 1 Year Informal Probation, \$2,500 Workers' Compensation Fraud Fund

Case Number: TCM255742
County: Tulare
Defendant: Carlos Melgoza Rojas
City/County of Residence: Porterville/Tulare
Conviction Date: 9/07/2011
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 24 Months Summary Probation, \$110 Civil Fine, \$430 Criminal Fine

Case Number: TCM256587
County: Tulare
Defendant: Jose Madrigal Sanchez
City/County of Residence: Farmersville/Tulare
Conviction Date: 09/21/2011
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 40 Hours Community Service, 24 Months Summary Probation, \$1,500 Criminal Fine

CDI Case Number: 08BW015212
County: Contra Costa
Defendant: Jenelle Silva
City/County of Residence: Oakley/Contra Costa
Conviction Date: 09/15/11
Offense: 1 Count of PC 487(a)/508 (Grand Theft/Embezzlement)
Amount Allegedly Defrauded: 85,460
Sentence: 90 Days Electronic Home Detention, 3 Years Formal Probation, \$85,460 Restitution, \$200 Civil Fine, \$10,000 paid on 09/16/2011

CDI Case Number: 10EW008358
County: San Diego
Defendant: Billy E. Smith
City/County of Residence: Puyallup, (Pierce County) Washington
Conviction Date: 09/26/11
Offense: 1 Count of PC 550(b)(3) (Failure to Disclose)
Amount Allegedly Defrauded: \$13,877.84
Sentence: 1 Day County Jail, 3 Years Summary Probation, \$13,877.84 Restitution, \$200 Civil Fine, \$800 Criminal Fine

CDI Case Number: 11JW007140

County: Los Angeles

Defendant: Leobo Sosa

City/County of Residence: Newhall/Los Angeles

Conviction Date: 09/29/2011

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: N/A

Sentence: 3 Days County Jail, 200 Hours Community Service, 3 Years Formal Probation, \$200 Civil Fine

Case Number: 2008038077

County: Ventura

Defendant: Patricia Ann Tokarksi

City/County of Residence: La Quinta/Riverside

Conviction Date: 09/13/11

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

Amount Allegedly Defrauded: TBD

Sentence: 1 Day County Jail, 200 Hours Community Services (to be completed by 11/21/2012), 36 Months Conditional Probation, \$100 Civil Fine

CDI Case Number: 11BW023444

County: Contra Costa

Defendant: Hanh Van Truong

City/County of Residence: Hayward/Alameda

Conviction Date: 09/28/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 25 Hours of Volunteer Community Service, 2 Years Court Probation, \$100 Civil Fine, Defendant to Be Booked At Martinez Detention Facility

CDI Case Name: Discount Tire

CDI Case Number: 10HW013654

County: Riverside

Defendant: Michael Anthony Wahl, Jr.

City/County of Residence: Lake Elsinore/Riverside

Conviction Date: 09/09/11

Offense: 1 Count of PC 550(b)(3) (False or Fraudulent Claim or Statement)

Amount Allegedly Defrauded: \$5,080

Sentence: 120 Day County Jail (To Be Served in the Work Release Program), 36 Months Formal Probation, \$5,080 Restitution, \$200 Civil Fine, \$1,000 Criminal Fine, Pay Cost of Probation Supervision-Amount To Be Determined, (Cost will range from \$591 to \$3,744)

CDI Case Name: Rankin UD Scaffold Inc.

CDI Case Number: 10BW010526

County: Alameda

Defendant: Mark Anthony Young

City/County of Residence: Pinole/Contra Costa

Conviction Date: 09/12/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 3 Days County Jail, 36 Months Conditional Probation, \$2,500 Restitution, \$200 Civil Fine, \$3,000 Criminal Fine, \$1,000 to Workers' Compensation Fraud Assessment Board